

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL DOUGHTERY, Plaintiff, v. FRED BEANS HOLDINGS, INC., FRED BEANS AUTOMOTIVE GROUP, AND FRED BEANS CADILLAC-OLDSMOBILE, INC,	: : : : : : : Defendants. : NOTICE OF APPEAL TO THE U.S. : COURT OF APPEALS FOR THE THIRD : CIRCUIT FROM AN APPEALABLE : ORDER OF A DISTRICT COURT :
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Notice is hereby given pursuant to 9. U.S.C. § 16 (a), that Defendants, Fred Beans Holdings, Inc., Fred Beans Automotive Group (improperly named in the complaint), and Fred Beans Cadillac-Oldsmobile, Inc., appeal to the United States Court of Appeals for the Third Circuit from the Order of the United States District Court, Eastern District of Pennsylvania, entered in this action on August 17, 2023 (DI 29), denying Defendants' Motion for a Stay and Leave to Compel Arbitration (DI 22) and Motion for Leave to Amend Answer (DI 21), and holding that Defendants have waived their right to arbitration.

Respectfully submitted,

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Fred Beans Automotive Group and
Fred Beans Cadillac-Oldsmobile, Inc.*

Date: September 7, 2023

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of September 2023, I caused a true and correct copy of the foregoing **Notice of Appeal** to be filed with the Clerk of the Court via the Electronic Filing System and to be served upon counsel of record listed below:

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